

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
PORTER DEVELOPMENT	§	CASE NO. 15-31305-H5-7
PARTNERS, LLC	§	(Lowest Number)
WB MURPHY ROAD	§	CASE NO. 15-31307-H3-7
DEVELOPMENT, LLC	§	
WB REAL ESTATE	§	CASE NO. 15-31770-H1-7
HOLDINGS, LLC	§	
WALLACE BAJJALI	§	CASE NO. 15-31772-H1-7
INVESTMENT FUND II, LP	§	

**STATUS REPORT ON TRUSTEE'S OBJECTIONS TO
LATE-FILED CLAIMS OF TAYLOR CLAIMANTS**

TO THE HONORABLE EDUARDO RODRIGUEZ, U. S. BANKRUPTCY JUDGE:

COME NOW, Lowell T. Cage, Trustee (“Trustee”) of the bankruptcy estates of Porter Development Partners LLC, WB Murphy Road Development LLC, WB Real Estate Holdings LLC, and Wallace Bajjali Investment Fund II LP (collectively, the “Debtors”) hereby files this Status Report on his Objections to the Late-filed Claims of the Taylor Claimants and the related “standing” issues raised in the hearing before this Court on December 14, 2021, as follows:

1. On December 14, 2021, this Court commenced its hearing on the Trustee’s Amended Motion for Summary Judgment relating to his Objections to the Late-Filed Claims of the Taylor Claimants. During the December 14th hearing, certain issues were raised by the Trustee relating to the parties’ standing to prosecute claims and causes of action asserted in Cause No. 2014-36580 styled *Ellisor, Ronald v. Frishberg, Daniel*, et al in the Harris County District Court (the “2014 Lawsuit”) in which the Taylor Claimants intervened in February 2019.

2. To facilitate resolution on the “standing” issues, the parties agreed to confer for the purpose of addressing whether the causes of action asserted by the Taylor Claimants in the 2014

Lawsuit and summarized in their Proofs of Claims were direct claims belonging to the Taylor Claimants or derivative claims and, therefore, belonging to the Trustee for the Debtors' estates. The parties also agreed to file their proposed Agreed Order by December 28, 2021, and to provide Briefs for the Court upon entry of its Scheduling Order on any claims and causes of action upon which no agreement could be reached.

3. As instructed by this Court, counsel for the Trustee and the Taylor Claimants have conferred by telephone and by electronic mail relating to the nature of the claims and causes of action asserted by the Taylor Claimants and the related "standing" issues. However, the parties have been unable to reach an agreement as to the party with appropriate standing to prosecute them. Consequently, the Trustee files this Status Report so that the parties may proceed with filing their Briefs as directed hereafter by this Court.

4. The parties also are not in agreement on a proposed schedule for filing their Briefs with the Court. Counsel for the Trustee believes one month is sufficient for the Taylor Claimants to file their Brief; and the Trustee proposes to then file his Brief by February 9, 2021. Counsel for the Taylor Claimants believes two months is required for him to address all of the claims asserted by the Taylor Claimants in their Brief for the Court.

Respectfully submitted,

/s/ Theresa Mobley

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of December, 2021, a true and correct copy of the Trustee's foregoing Status Report was sent by the Court's ECF and by electronic mail to counsel for the Taylor Claimants, Charles Schmidt.

/s/ *Theresa Mobley*

THERESA MOBLEY